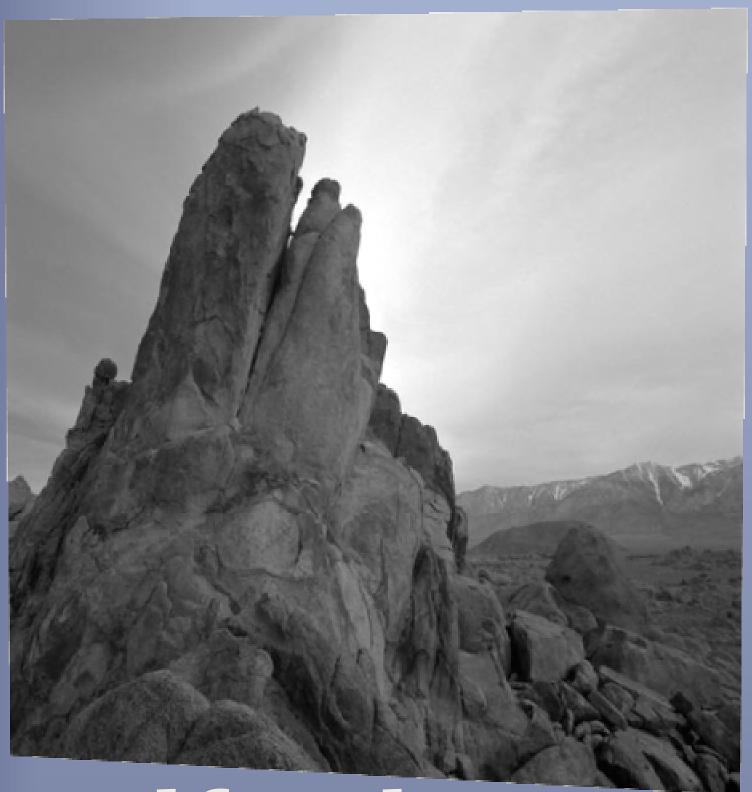

Self-Administered Services Support Book

For Use in the Medicaid Autism Waiver

Division of Services for People with Disabilities

TABLE OF CONTENTS Page Number

An Introduction to the Medicaid Autism Waiver

This waiver is designed as a two-year pilot to provide services statewide to children between the ages of two and six who have been diagnosed with an Autism Spectrum Disorder (ASD). Services are designed to provide intensive individual support to improve the social, physical and educational development of young children and to assist families to allow their children to better integrate in their communities.

Research has shown that early intervention with intensive individual support services such as Applied Behavior Analysis (ABA) has the ability to improve outcomes for children. Through this waiver, consultation with a Board Certified Behavior Analyst (BCBA), BCBA Intern, or Psychologist is provided, and an autism treatment plan developed. The treatment plan targets desired behaviors (such as speech, or eye contact) and employs strategies to increase them. Attention is also paid to whether a child has behaviors whose reduction would improve the child's ability to learn or socialize, and strategies are developed to reduce or eliminate those behaviors.

A Direct Service Provider, working under the supervision of the BCBA or Psychologist, addresses the targeted behaviors according to the treatment plan with the child in the child's home, involving parents in the treatment.

Respite services averaging three hours each week are available to provide parents an opportunity to obtain rest or tend to other matters. Families choosing to use respite may hire their childcare provider using the Self-Administered Services (SAS) model, and work with a Financial Management Service which will assist them in processing payroll and issuing payment to their respite services providers. In some areas respite providers are made available by companies contracted with DSPD.

A DSPD Support Coordinator is assigned to each child enrolled in the Autism Waiver to provide case management services, ensure services being provided are effective and within the scope authorized by the Center for Medicaid Services, and help families with questions or issues that arise.

Section 1: Program Overview

Introduction to Self-Administered Services

Self-Administered Services (SAS) offer an alternative to Agency-Based Provider Services by allowing people with disabilities and their families to select services that are provided within their home. People with disabilities and their families are able to hire, train, and supervise the employees who provide the support to the person. They also assure that the services stay within the person's allocated budget.

The Division of Services for People with Disabilities (Hereafter referred to as DSPD or The Division) allocates an annual budget to address the assessed needs of the person receiving funding from the Division as outlined in the State of Utah Home and Community Based Services Waiver (Medicaid 1915C). Medicaid waivers allow a person who qualifies for services in a nursing home or intermediate care facility for people with intellectual disabilities (ICF/ID), to receive support services in their own home and community. Medicaid waivers are designed to:

- Promote access, inclusion and the development of valued social roles for people with disabilities in their local communities.
- Provide support so that adults with disabilities can live safely in the neighborhoods they choose.
- Provide support so that children with disabilities can live with their families.
- Improve the independence of people with disabilities.
- Promote cost savings over an ICF/ID alternative.

The Autism Waiver serves children between the ages of 2 and 5 who carry a diagnosis on the Autism Spectrum, and who live at home with their families, foster parents, or guardian.

Program Funds are only disbursed to pay for services that are outlined in the Person-Centered Supports Plan (PCSP) and only after the services are performed. All SAS payments are made directly to the person performing the services (the employee) through a Fiscal Agent under contract with the Division.

If you use SAS, you will be required to use a Fiscal Agent. The Fiscal Agent will provide financial services for the person, or the person's designated representative, including: (a) verifying the qualifications of the worker, (b) federal, state, and local tax withholding/payments, budget status reports, and (c) processing the Medicaid paperwork and paying the employees.

The Support Coordinator monitors the budget and ensures that the services are part of the PCSP; if concerns arise, the Support Coordinator contacts the parent/guardian of the person receiving services to resolve any issues. Self-Administered Services are a part of the Division's goal to allow the maximum amount of independence and choice in the lives of the people we serve.

DEFINITION OF TERMS

Action Plan: The portion of the Person-Centered Planning Process outlining the person's desired outcomes, personal goals and primary supports and services. The plan lists assignments and actions of each supporter of the person.

Agency-Based Provider: Any company that contracts with DSPD to deliver planned supports to people with disabilities.

Budget: see "Person-Centered Budget"

Direct Services: means services delivered by an employee in the physical presence of the Person.

DSPD: Division of Services for People with Disabilities. The state agency responsible for providing services to and administration of state and federal funding for people with disabilities.

Employer: The person receiving DSPD services, or their representative, that takes on the responsibility of hiring, training, supervising, and preparing payroll for employees contracted to perform services as part of participating in Self-Administered Services.

Employee: means any individual hired to provide services to a Person receiving Self-Administered Services.

Financial Management Services (Fiscal Agent): A company hired to process payroll duties for Self- Administered Services as required by Federal Law.

Financial Fraud: A willful or negligent misuse of funds made available to provide a person's support. For example: reporting duplicated time claims, submitting claims for work not provided, or requiring a worker to return a portion of their wages to the employer.

Fiscal Agent: means an individual or entity contracted by the Division to perform fiscal, legal, and management duties which include processing payroll duties for Self-Administered Services. If you use Self-Administered Services, you will be required to process payroll through a Fiscal Agent.

Home and Community-Based Waiver: An approval from Medicaid to allow states to "waive" certain requirements in order to use Medicaid funds for an array of home and community-based services as an alternative to institutional care.

Monthly Summary: A formal report on the services used by the person given to the Support Coordinator at the end of each month.

Person-Centered Support Plan (PCSP): A plan developed from an assessment and a process designed to focus on a person's individual desires and abilities. The PCSP should include but is not limited to the person's preferences, strengths, interests, goals, and relationships as well as health and safety issues in order to determine appropriate support for a meaningful life.

Person-Centered Budget: State and Federal Medicaid funds that are allocated to the Person being served through DSPD to purchase appropriate supports.

Rates: The amount that DSPD pays to a SAS worker for hourly or daily services/supports for a person. The rate includes both the direct wage of the SAS worker and the employer's (person directing SAS) portion of taxes. Employers must pay a rate between Federal minimum wage and the maximum Medicaid rate allowed as noted on the Fiscal Agent pay schedule. The employer can choose the amount of support received by adjusting the direct rate that is paid to the employees providing services. Rates can be changed as needed by the employer.

Self-Administered Services (SAS): A service option for people receiving DSPD funds that allows a person to hire, train, and supervise employees to provide their supports and manage their allowed budget.

Support Coordinator: A person contracted with or employed by DSPD to provide assistance in developing needed services and support to a person receiving DSPD funding. The Support Coordinator also monitors the use of the services and Person-Centered Budget.

Support Strategies: Steps followed by the SAS employee to support the person in achieving goals identified in the Person-Centered Service Plan. These are the activities reported on the SAS worker's time card.

CHOOSING APPROPRIATE SERVICES

Support Coordinators provide ongoing supervision to ensure that the needs of the person receiving services are appropriately identified and that services selected from an Agency-Based Provider and/or Self- Administered Services match the person's needs.

Agency-Based Provider Services are offered through private companies that contract with the Division of Services for People with Disabilities. When using these services, the person, or person's representative, chooses an agency that will meet their specific needs. It is the responsibility of the provider agency to supervise, hire, and assure that the qualifications of the employee providing the services are met.

Self-Administered Services provide an alternative to traditional Agency-Based Provider services by allowing the person or the person's representative (often a family member) to directly hire employees to meet specific identified service needs. Most of the time Self-Administered supports are provided in the person's home. Self-Administered Services are available to all who are capable and wish to hire their own employees to meet specific service needs. The person or the person's representative is responsible to hire, train, supervise and schedule employees, and to approve employee timesheets. Individuals must work with their Fiscal Agent and Support Coordinator to meet DSPD and Medicaid requirements. At this time services that may be self-administered in the Medicaid Autism Waiver are limited to respite services. Respite services include short-term relief from normal care giving. Respite care provides supervision of the Person served in the family's home, or an employee's home.

SERVICE OPTION DESCRIPTIONS

<u>**Self-Administered and Agency-Based Services Options**</u>	<u>**Provider**</u>
Behavior Consultant: One-on-one consultation to help increase desired behaviors and decrease behavior problems.	Agency-Based Provider Only
Direct Service Provider: working under the supervision of the BCBA, BCBA Intern, or Psychologist, addresses the targeted behaviors according to the treatment plan with the child in his or her home.	Agency-Based Provider Only
Financial Management Services/Fiscal Agents: A requirement under Self-Administered Services. Fiscal Agents: (a) process payroll for employees including federal, state, and local tax withholding/payments, unemployment compensation fees, wage settlements, fiscal accounting reports, (b) complete tax forms and (c) provide monthly accounting of budgets.	Agency-Based Provider Only
Respite Care Supports: Include short-term relief from normal care giving. Respite care provides supervision of the Person served in the family's home, an employee's home, or an agency-based facility. Respite Care Supports are available as a single or group service for an average of three hours each week.	Self-Administered Or Agency-Based Provider

SERVICE OPTIONS FOR SELF-ADMINISTERED SERVICES

The Autism Waiver has just one service that may be self-administered. Agency-based services may be used in combination with Self-Administered Services, but each must be accounted for separately in the budget. All services are based on the assessed needs of the individual. The Support Coordinator can help to explain what each of these services represents.

Service Options for Self-Administered Services	**Code**
Respite	ISR

Self-Administered Service Agreement

When a service component is self-administered, the service agreement is completed for the first time when initiating services, and annually thereafter. It is traditionally completed during the person centered planning meeting. The service agreement should be kept with other records and be available for review upon the request of the Support Coordinator or DSPD.

Regular communication with Support Coordinators helps to identify service needs for the person and their family members. Services can be canceled or changed to an Agency-Based Provider model by either the person/person's representative or DSPD.

The person or person's designated representative is considered the SAS program Employer of Record. The SAS program Employer of Record agrees to be responsible for all SAS activity and record keeping, as well as assurances of compliance.
Links to the agreements for the Community Supports Waiver and the Acquired Brain Injury Waiver are found in Section 4 Forms and Link. You can also access the SAS agreements online. From the DSPD home page click on "Programs and Services," then

click on “Self-Administered Services.” Under the menu “Related Links,” click on the “Self-Administered Services Forms.” This link will lead you to the DSPD forms page, from this page click on “Forms.” Self-Administered Services agreements are listed as 2-9EA.

SECTION TWO: ROLES AND RESPONSIBILITIES

SUPPORT COORDINATOR RESPONSIBILITIES

The overall responsibility of the Support Coordinator is to:

- Explain and identify service options.
- Coordinate the initial and annual Person Centered Supports Plan (PCSP) meeting. During the meeting, goals and interests of the person are identified in order to support independence, and enhance self-determination.
- Assist with PCSP annual budget allocation. Support coordinators will monitor both the spending and the remaining budget for the plan year. This includes all prescribed services for each of the persons and families they serve.
- Monitor services by conducting face-to-face visits with the person served no less frequently than every ninety (90) days.
- Monitor documentation by assisting in the initial as well as annual documentation requirements.
- Complete and submit to DSPD annual SAS audit forms for each person served.
- Provide basic support towards understanding SAS services. This will be a combined effort with the Fiscal Agent.

FISCAL AGENT RESPONSIBLITIES

The Fiscal Agent oversees the financial responsibilities of SAS.
Their responsibility is to:

- Provide a document packet to the person containing various DSPD and Employer forms. These forms should include but are not limited to: Fiscal Agent Appointment, Employer FEIN SS-4, Employee forms (including: W4, I-9, BCI form), Employee Certification Form 2-9C, Employee Agreement Form 2-9 EA, time card(s) required for services and instructions on how to complete the forms. *Links to these forms are provided under Section 4 Forms and Links.*

- Ensure required payroll paperwork is received and remains current prior to paying employees.

- Send paychecks directly to employees, withholding all required taxes; issue an annual W-2 income and tax summary for each employee.

- Follow set pay periods; payments occur two times per month.

- Make payments for services identified in the employee agreement, and per employer, and employee approved (signed) time cards.

- Monitor and maintain current records.

- Ensure time cards reflect worker shift as a.m. or p.m., and do not include duplicated or overlapping periods.

- Ensure time cards have proper authorization signatures, and have been submitted on time.

- Send a monthly report to the Support Coordinator showing employer payments and budget balance.

- Decline payments to employees who do not pass a background check. Discontinue payments to employees who do not renew their background check before it expires. *Please note on some occasions it may take several weeks for notification of a completed background check.*

- Maintain a customer service call center.

LIMITATIONS

The Fiscal Agent cannot:

- Make payments outside of the set pay schedule or without the DHS/DSPD Form 1056 generated by the support coordinator to authorize payment

- Make payments without a completed background screening on potential employees and annually on on-going employees.

- Provide workers compensation insurance.

  * As an employer you may choose to offer those you employ health life or workers compensation insurance at your own expense. The Fiscal Agent will deduct these premiums at your request.

EMPLOYEE RESPONSIBILITIES

Employees provide direct care to the person receiving services. Employee responsibilities include but are not limited to:

- Complete all required training prior to working with the person unsupervised.
- Be familiar with the Service Specific Training form, and know where a copy is located
- Be familiar with the Supports Strategies and know where a copy is located.
- Be familiar with the emergency contact and information form, and know where a copy is located
- Provide supports outlined in the Support Strategies.
- Keep any data, logs, or required information. Keep comments on timesheets current.
- Follow the Code of Conduct. Annually review the Code of Conduct and sign the signature page.
- Complete payroll forms, timesheets, comment sections, and follow pay periods and submission timelines.
- Fill out a background check on an annual basis.
- Follow all incident reporting requirements including immediate notice and completion of Form 1-8. Know where incident report forms are located.
- Share important information to develop future goals and services.

The following forms need to be completed in order to for reimbursement of direct care services to occur. These forms also confirm all Medicaid requirements have been met. This Fiscal Agent is required to have the following:

- W-4
- I-9 Employee Eligibility Verification Form (there are two sections that need to be completed by you and your employer). Include copies of 2 forms of ID. See reverse side of I-9 for the list of accepted documentation and further instructions.
- Employment Agreement (Form 2-9EA(AUT)
  Background Screening Application
  The employee's social security card and identification such as a current driver's license will need to be copied and attached to the back ground screening application. The employer will need to see the originals and keep a copy of the employee's social security card and identification to fill out the I-9 form.

  To meet Medicaid Requirements, the following forms need to be completed.
- A form 2-9C Employee Certification provided in the Fiscal Agent packet also available by accessing the DSPD website: From the DSPD home page click on "Programs and Services." Click on "Self-Administered Services." Under the "Related Link," menu, click on "Self-Administered Service Forms."
- Complete all areas identified and indicate knowledge of Requirements for Certification by signing and dating each area completed.

- A Department Code of Conduct and any Division Code of Conduct as provided in the Fiscal Agent packet: Read completely and sign the signature sheet. This form is available on the DSPD website. From the DSPD home page click on "Programs and Services;" click on "Self-Administered. Under the "Related Links" menu, click on "Department Code of Conduct." The link for this form can also be accessed under Section 4 SAS Forms and Links.

EMPLOYER RESPONSIBILITIES

The person receiving services, or their representative, becomes the Employer when using SAS. This person's responsibility is to:

- Sign and annually update the Self-Administered Services Agreement Form 2-9SA.
- Select a Fiscal Agent, and inform both the Support Coordinator and the Fiscal Agent of any updates or changes to employee status for all hires or released workers.
- Develop and maintain support strategies. Examples of support strategies can be downloaded from the DSPD website. From the DSPD home page click on "Programs and Services." Click on "Self-Administered Services." Under the "Related Links "menu, click on "Self-Administered Service Forms."
- A support strategy is an annual requirement that identifies the steps to reach a goal that has been decided by the individual receiving services and their support team. You may work with your support coordinator to develop support strategies. Support strategies are due to your support coordinator within 30 days of the Person Centered Planning meeting.
- Ensure that employees understand, and are familiar with, the support strategies, and know where they are located.
- Develop and update the service specific training page. An example of the service specific training can be accessed online. From the DSPD home page click on "Programs and Services." Click on "Self-Administered Services." Under "Related Links," click on "Service Specific Training." This Form is also available in Section 4 SAS Forms and Links.
- Ensure that employees understand and are familiar with the service specific training and know where a copy is located.
- Develop and update the emergency contact and information form.
- Ensure that employees understand, and are familiar with, the emergency contact and information form, and know where it is located
- Maintain employee personnel and training records for six years.
- Ensure employees meet DSPD training requirements.
- Ensure employees are 18 years of age or older, and complete the Employment Agreement Form. In the Autism Waiver overnight respite is not permitted, and for transportation services the age requirement is 18 and over. Submit monthly summaries to the support coordinator.

A monthly summary is a narrative that describes what happened during the previous month to address the goal (support strategy).
Monthly summaries can be completed via, phone, email or a written note (including comments on time sheets) Summaries should be shared in a way that works for you and your support coordinator.

- The person or representative shall complete a monthly summary of services for each month in which services are rendered and submit it to the Support Coordinator by the 15th of the month following the month of services.
  (a) If the person does not provide this information to DSPD for a three month period, the fourth months' payment shall be withheld until the monthly summaries are submitted.
  (b) If the person submits all required monthly summaries within fourth months, payment will be reinstated.
  (c) If monthly summaries are not provided for the fifth month, then at the sixth month, DSPD will require the person to use a contracted Provider and not participate in Self-Administered Services.
- Receive review and sign timesheets with employees and submit according to the Fiscal Agent's payroll schedule.
- Responsible for recruiting, screening, hiring, firing, and training employees
- Responsible for ensuring employees providing direct services have a cleared background check. Background checks are to be completed *annually* for any employee providing services.
- The Person's Representative shall notify the Support Coordinator if any of the following occurs:
- (a) If the person moves; in moving from one area of Utah to another, DSPD services are retained. Moving out of Utah closes all DSPD services. A new application for DSPD services would be required and the person would be placed on the waiting list if they return to Utah after moving out of the state.
- (b) If the person is in the hospital or nursing home; or
- (c) Death of the person.

Ensure that all required paperwork is filled out by the employee including:

- A form 2-9C Employee Certification provided in the Fiscal Agent packet also available one the DSPD website. From the DSPD home page click on "Programs and Services." Click on "Self-Administered Services." Under the "Related Links" menu, click on "Self-Administered Service Forms." Complete all areas identified and indicate knowledge of Requirements for Certification by signing and dating each area completed.

- A Department Code of Conduct and any Division Code of Conduct: Read completely and sign the signature sheet. This form will not be provided in the Fiscal Agent packet, but can be accessed on the DSPD website: From the DSPD home page click on "Programs and Services." Click on "Self-Administered Services." Under the "Related Links" menu, click on "Self-Administered Service Forms."

- W-4

- I-9 Employee Eligibility Verification Form (there are two sections that need to be completed by you and your employer). Include copies of 2 forms of ID. See reverse side of I-9 for the list of accepted documentation and further instructions.

- Employment Agreement Form 2-9EA(AUT)

Background Screening

Background Screening Application
The employee's social security card and identification such as a current driver's license will need to be copied and attached to the back ground screening application. The employer will need to see the originals and keep a copy of the employee's social security card and identification to fill out the I-9 form.

The back ground check form is available through the Fiscal Agent. The Fiscal Agent will submit the forms for the background check and notify you when the back ground check is complete, and provide certification for your records.

BACKGROUND CHECK SCREENING FORM:
This can be accessed from the DSPD website click on "Background Screening Form." Click on "Background Screening Application Direct Services Self-Administered Services Form."

Background screening check tutorial can also be accessed from the same page

The Background Screening application should be sent to the fiscal agent you have decided to work with.

- Ensure proper training is provided to staff regarding incident reporting Employees are required to know what types of incidents need to be reported, reporting timelines, and where incident report forms are located. It is required that the employee or employer notify the Support Coordinator of any reportable incidents that occur while the person is in the care of the employee within 24 hours of occurrence. An Incident Report Form 1-8 MUST be completed within 5 business days of the incident and sent to the Support Coordinator. Initial notification may be in the form of a phone call, email, or fax. An Incident Report (1-8) is required during times of billable service if any of the following events should occur:
    - Actual and suspected incidents of abuse, neglect (including self-neglect), exploitation, or maltreatment per the DHS/DSPD Code of Conduct and Utah Code 62A-3-305 and 62A-4a-403 which requires you immediately notify DHS Adult Protective Services intake in cases involving an adult, Child Protective Services intake in cases involving a child or the nearest law enforcement agency Drug or alcohol abuse;
    - Medication overdoses or errors reasonably requiring medical intervention;
    - Instances in which the person receiving services is considered “missing” under any unexplained, involuntary or suspicious circumstance(s) and is believed to be in danger because of age, health, mental or physical disability, environment or weather, in the company of a potentially dangerous individual or some other factor placing the person in peril;
    - Evidence of seizure in a person with no existing seizure diagnosis;
    - Significant property destruction ($500.00 or more)
    - Instances of physical injury reasonably requiring a medical intervention;
    - Instances of law enforcement involvement or charges filed surrounding a person;
    - The person has an aspiration or choking incident that results in the administration of the Heimlich maneuver (e.g. stomach thrusts), emergency medical intervention, and/or hospitalization;
    - All suicide attempts by the person (does not include threats of suicide);
    - Human rights violations such as the unauthorized use of restraints – physical restraints, mechanical restraints, chemical restraints

(medications), seclusion rooms or infringement on personal privacy rights that would otherwise require a rights restriction plan;

- An event that compromises the person's working or living environment such as damage to the home (e.g. roof collapse) that requires evacuation and puts the person at risk;
- Death of the person;
- Instances of any institutional admittance(s) such as accommodation in a nursing home or a hospital; or
- Any other instances the person or person's representative determines should be reported.

ADDITIONAL EMPLOYMENT INFORMATION

Time Sheets

The timesheet is an important document and provides internal controls that reduce misuse or fraud when used properly. It reflects the implementation of labor agreements and payroll obligations. A timesheet entry needs to be completed each time the employee works. The time sheet should indicate the exact time (including a.m. and p.m.) the shift begins and ends. The employee is required to make a brief comment on the timesheet of the service provided during the shift. The employer may contact the Fiscal Agent with any questions concerning filling out a timesheet or using a Fiscal Agent on-line or telephone-based reporting system. Complete and correct information must be provided on the timesheet or the employee will be asked to make necessary corrections, which may delay the Employee's payment.

Timesheets will be reviewed by both the Employer and the Fiscal Agent for correct billing practices. The Fiscal agent will deducts taxes, and provide payment following a payroll schedule.

Follow the Utah Timesheet Instructions Below:

1. Enter employee name (LAST NAME, FIRST NAME)
2. Enter employee ID (Social Security Number or Fiscal Agent employee number)
3. Enter the person receiving services' name (LAST NAME, FIRST NAME)
4. Enter the person's ID number (DSPD 0-nine digit number)
5. Enter the service date(s) - the date(s) that were worked (Month/Day/Year)
6. Enter the time work began and ended. Indicate a.m. or p.m. hours (12:00 noon is p.m. and 12:00 midnight is a.m.)
7. Enter the corresponding service code using the following letter codes as applicable:

8. Enter comments regarding the services provided. This should be brief and related to the goal addressed in the Support Strategy.
9. Ensure the employee and the employer sign the time sheet. “Pre-signed” forms are not allowed. The employer may not “sign” for the employee.
10. Enter dates by the signatures.

Time Line for Payroll

The Employer may fax, mail, or electronically submit signed/approved timesheets to the Fiscal Agent by the deadline of the 1st and 16th of each month or as instructed by the Fiscal Agent.
Timesheets received on or before the 1st of the month will be paid on or before the 15th.
Timesheets received on or before the 16th of the month will be paid on or before the 30th. Variations in the payroll schedule may occur due to holiday and weekend dates. Refer to the Payroll Schedule provided by the Fiscal Agent. This schedule may be included in the Daily File.
The Employee must inform the Employer of any changes in contact information, such as address or name change, so the Fiscal Agent can be notified.
Payroll may NOT be processed without prior Support Coordinator approval if it is received more than 30 days following the month services were provided.

Service Specific Training for DTP (Daily Transportation Payment)

Employees providing transportation must abide by the following guidelines.

- Persons are not to be left unattended in the vehicle.
- Persons must remain seated while the vehicle is in motion.
- Keys are removed from the vehicle at all times when the driver is not in the driver's seat unless the driver is actively operating a lift on vehicles that require the keys to be in the ignition to operate the lift.
- All persons in wheelchairs must use seat belts or locking mechanisms to immobilize wheelchairs during travel.
- Persons must be transported in safety restraint seats when required by Utah State law.
- Vehicles used for transporting persons must have working door locks, and that doors are locked at all times while the vehicle is moving.

- During an emergency, the employee is responsible for the person until relief or help arrives.
- Driver must have current driver license and Employer/driver must have current vehicle insurance, license and inspections.
- Failure to serve the person under these terms may be cause for termination of this service.

Employee Rate Information:

To establish or change your employee's rate of pay, turn in an Employee Rate Information Form. This form is included in the Fiscal Agent's packet.

Termination of Employment

Termination of an employee requires a Fiscal Agent employee termination form be submitted to your Fiscal Agent in addition to the final timesheet

Complete the appropriate section for the Employee Termination Form provided in the Fiscal Agent packet.

Blank forms for your fiscal agents are located at one of the following websites:

Leonard Consulting
http://leonardconsultingllc.com/

Morning Star
http://morningstarfs.com/

The following may not be employed to work with a family member:

- Parents
- Step-Parents
- Guardians
- Spouses

At-will employee status applies to all SAS employees. This allows the employee or employer to terminate employment with or without notice for any reason, resulting in no disciplinary action or penalty, with the exception of incidents of abuse, neglect or exploitation (which by law must be reported to proper authorities).

SAS Compliance Reviews:
The Support Coordinator will annually review your file to ensure SAS compliance. Please ensure you have the appropriate documents available upon request. Below is a document check list which provides a list of the forms you will need to have in a file.

A representative from the Financial Management Agency (FMA) you choose to work with will inform you when all of the necessary documentation of your employee has been completed, and when you are authorized to begin using SAS respite services. If you choose to use your respite employee prior to receiving authorization from the FMA, you will be responsible for payment for those hours.

Document Checklist

The table below lists the required documentation to participate in Self- Administered Services and identifies who receives copies of each document.

DOCUMENT NAME	ACTION	**DSPD REVIEWS
Agent Authorization 2678	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy	NO
Employer FEIN SS-4	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy	NO
Copy of Driver's License (for BCI, I-9 and if transporting)	Employer sends to Fiscal Agent, Employer keeps copy	NO
BCI (annually)	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy	YES
I-9 Employee Verification	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy	YES
W-4 Form Tax Withholding	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy	NO
Proof of Insurance if Transporting	Employer collects copy from Employee when applicable, Employer keeps copy	NO
Employee Certification 2-9C	Fiscal Agent sends, Employer keeps originals in file for all Employees	YES
Employment Agreement 2-9EA	Fiscal Agent sends, Employer sends 2-9EA for each employee hired, Employer keeps copy	YES
Employer Agreement 2-9SA	SCE sends, *DSPD Document, Employer keeps copy	YES
Person Centered Support Plan	SCE provides to Employer at least annually	YES
Time Sheet with Comments	Fiscal Agent sends, Employer sends in to Fiscal Agent, Employer keeps copy	YES
Employee Code of Conduct Department and Division	Fiscal Agent sends, Employer keeps originals in file for all Employees	YES
Service Specific Training	*DSPD Document, Employer keeps documentation of training in file	YES
Support Strategies	*DSPD Document, Employer develops and keeps in file	YES
Emergency Contact and Incident Report Forms	*DSPD Document, Employer keeps original in file, also blank incident reports available	YES
Monthly Summaries	Various forms of documentation SCE documents on USTEPS	YES

*DSPD Document is defined as a document available on the DSPD website. Modifications are allowable for Support Strategies and Emergency Contact forms.

**DSPD reviews are completed by reviewing SAS Compliance Review Checklist on an annual basis.

Record Keeping:

Daily File: A recording system for employees to use each they work time that they work; this system is referred to in this support book as a “daily file.”
Items to include in a daily file:
Blank Incident Report Form
Emergency Contact and Information Form

An emergency contact form is used to provide contact information in the case of an emergency. This can include but is not limited to: Current home phone number and address, pertinent health care information and parent or family contact information.

Current Support Strategies
Service Specific Training
Blank Timesheets

Employee File Information:
Maintain the following documents in a confidential employee file
Copy of social security card
Original W4
Original I-9
Signature sheet of the Code of Conduct (reviewed annually)
Signed copy of the Employer Agreement Form 2-9SA (AUT)
Signed copy of Employee Certification Form 2-9C (AUT)

Section 3 Medicaid Waiver Services

Administrative Rule & Waiver Information

Utah Administrative Rules governing the use and administration of Self-Administered Services can be accessed from the DSPD website. From the DSPD home page click on "Programs and Services, then click on "Self-Administered Services." Under the "Related Links" menu, click on "Administrative Rule." The link to Administrative Rule can also be accessed under Section 4 SAS Forms and Links.

Avoiding Fraud and the Misuse of Funds

The use of Self-Administered Services, like all DSPD services, requires following all Medicaid Rules and Regulations. Misrepresentation of the use of Medicaid funds could result in the loss of the right to self-administration and may result in criminal action, imprisonment, and substantial fines and paybacks. Be a responsible employer by working closely with your Support Coordinator and Fiscal Agent, and follow the DSPD and Medicaid requirements. DSPD is required to account for all the funds disbursed. Examples of fraud and misuse of funds that may result in inspection of records, payback of funds and criminal actions include, but are not limited to:

- One employee billing for more than one service at the same time
- More than one employee billing for services at the same time
- Employers asking employees to bill for hours not really worked or approving to pay for more hours than were actually worked
- Asking employees to give kickbacks
- Approving payment for hours of work when the person was receiving services from another source (at school, in the hospital, etc.)
- Approving payment for hours of work when the employee was unavailable to work (out of town, in jail, on vacation, away at school, etc.)

The examples listed are all actual cases that have been investigated and in some cases prosecuted.

When an investigation finds employers have engaged in fraud and misuse of funds, funds paid must be paid back to the state by the family and/or employee. In order to avoid payback make sure that:

- You compare timesheets from all employees to make sure that the work times recorded do not conflict or overlap with other employees' work times
- Your employees record only one service during a time period (do not record multiple services at the same time)
- Your employees have not recorded working on days or times when the person is not available to receive services,
- Your employees are not recording more hours on timesheets than actually worked
- Work times are billed as a one-on-one service (meaning one employee to one person). The only exception to this is Group Respite services (RP7-RP8) that allows up to three people to be served at the same time.
- The same worker does not bill for multiple services during the same work times. Supported Living (SL1) includes: personal assistance (PA1), chore (CH1) and homemaker (HS1) services and routine transportation (DTP & MTP). Do not duplicate service hours and individually bill for DTP, CH1, HS1 or PA1 by the same worker.
- Pay rates are within the designated range for services listed in the Fiscal Agent Packet.
- The employer does not receive payment or take a portion of the employee's pay.
- An employee providing overnight services, working during typical hours of sleep, or providing transportation is at least 18 years of age.

Each month the Fiscal Agent (your payroll agency) and your Support Coordinator will review timesheets for accuracy and appropriate usage of services. You may be asked to clarify if the following situations are found:

  - Unexpected high use of services occurs in one month. If a person's situation changes, contact your Support Coordinator and inform him/her of your needs and possible changes in your use of service before submitting timesheets.
  - High use of services at the end of the plan year, unless justified and approved by your Support Coordinator.
  - Billing for new employees prior to notifying the Support Coordinator.
  - Each Support Coordinator must have a copy in their file of the Form 2-9C, the employee's completed certification. You must inform both your Support Coordinator and Fiscal Agent of any staff changes.
  -

Section 4 SAS Form Links

Employer Forms

2-9SA Self-Administered Service Agreement

Autism Waiver:

http://www.hspolicy.utah.gov/dspd

Employee Forms

Form 2-9C (AUT)- Application for Certification

2-9C(AUT) Application for Certification

General Self-Administered Service Forms

Provider Code of Conduct
http://hspolicy.utah.gov/files/dhs/5-%20Security/5-3-%20Provider%20Code%20of%20Conduct.pdf

DSPD Code of Conduct

http://hspolicy.utah.gov/files/dspd/1-%20General%20Staff%20Directives/1.20-%20Code%20of%20Conduct.pdf

1-8 Incident Report Form
http://hspolicy.utah.gov/files/dspd/Forms/1-8%20Incident%20Report%20Form.pdf

Background Check Screening Form
http://www.dspd.utah.gov/docs/BCF.pdf

Fiscal Agent Forms

W4: http://www.irs.gov/pub/irs-pdf/fw4.pdf
I-9: http://www.uscis.gov/files/form/i-9.pdf
2-9EA (AUT): 2.9-EA(AUT) Self-Administered Services Employment Agreement (AUT)

Support Strategies
http://www.dspd.utah.gov/docs/selfadministered/Support%20Strategies.pdf

Monthly Summaries
http://www.dspd.utah.gov/docs/selfadministered/Monthly%20Summary.pdf

Service Specific Training
http://www.dspd.utah.gov/docs/selfadministered/Service%20Specific%20Training.pdf

Notice of Termination of FMS Service
http://hspolicy.utah.gov/files/dspd/Forms/2.9-T%20%20Notice%20of%20Termination%20of%20FMS%20Services.pdf

Self-Administered Service Descriptions:
http://www.dspd.utah.gov/service_descriptions3.htm

Application for Certification to Provide Limited Services

Administrative Rule
http://www.rules.utah/gov/publicat/code/r539/r539.htm

Fiscal Agent Links

Leonard Consulting
http://leonardconsultingllc.com/

Morning Star
http://morningstarfs.com/

DSPD Self Administered Services Link
http://www.hsdspd.state.ut.us/selfadminmodel.htm

Additional Supports and Resources

EMPLOYEE RESOURCES

The Utah Caregiver Alliance
caregiveralliance.com
Toll Free: (866)-404-9080
The Utah Caregiver Alliance has created an online resource registry to connect caregivers with qualified care providers and vendors, as well as networking caregivers with other caregivers. UCA is also helping families form cooperatives to pool resources and create services and supports, and to provide outreach and training to families to ensure success.

The Division of Workforce Services
http://jobs.utah.gov/
Toll Free: (888)-920-9675
The Division of Workforce Services can assist you with posting your job listing on their site. You may be asked to provide your employer ID number that you have been given by your fiscal agent.

ADDITIONAL RESOURCES

Utah Parent Center
www.utahparentcenter.org
Phone: 801-272-1051
Toll-Free in Utah: 1-800-468-1160
Spanish: 801-272-1067

United Way 2-1-1
www.uw.org/211

Utah Brain Injury Alliance
www.biau.org
Phone: 801-716-4993
Toll-Free: (800)-281-8442

Español: 801-716-4996

Utah State Office of Rehabilitation
http://www.workabilityutah.org/work/usor.php
Phone: 801- 538-7530
Toll free: (800) 473-7530

Family to Family Network
http://utahfamilytofamilynetwork.org/contact.php
Phone: 801- 272-1051
Toll-free in Utah: (800) 468-1160

Frequently Asked Questions

Q: When are background checks due?

A: Background checks are completed on an annual basis, and upon hire. Employees can provide direct services while a background check is being processed for up to 30 days under direct supervision of the employer, or another employee with a cleared background check. The 30 day window only applies to initial hires, and does not apply toward annual reviews.

Q: How do I pick a Fiscal Agent?

A: There are four contracted Fiscal Agents to choose from when starting Self-Administered Services. Those companies are listed on page 19, 22 and 31. You can call the listed Fiscal Agents and ask questions, as well as visit the website and research your options.

Q: Can I change Fiscal Agents?

A: Yes you can change Fiscal Agents at any time; however you will be required to provide notification to the Fiscal Agent to allow transition from one service to another. A Notice of Termination of FMS services is available online, and can be filled out and submitted by your Support Coordinator. Links to the Notice of Termination are listed under Section 4 General Self-Administered Service Forms.

Q: How and where do I find employees?

A: Often the best employees are family members or those you already know. You can network within your community to assess who you think might be a good fit for your family.

You can develop job postings online, or post hard copies in local college campuses.

You can also advertise at the Department of Workforce Services. Details are provided under Section 4 Additional Supports and Resources, Department of Workforce Services.

The Utah Caregiver Alliance has created an online resource registry to connect caregivers with qualified care providers and vendors, as well as networking caregivers with other caregivers. UCA is also helping families form cooperatives to pool resources and create services and supports, and to provide outreach and training to families to ensure success. Contact information is provided under Section 4 Additional Supports and Resources, Utah Caregiver Alliance

Q: What is the difference between hourly rates, and daily rates?

A: DSPD processes rates by quarter hour which translates into hourly rates. There are several different codes that are billed in either hourly (quarter hour) or daily rates. If direct services are being provided over 6 hours you will need to bill a daily rate. Please discuss services thoroughly with your support coordinator. Further information on service codes for SAS can be accessed online at: http://www.dspd.utah.gov/service_descriptions3.htm. From the DSPD Home page click on DSPD A-Z Index. Scroll down to Self-Administered Service Descriptions.

The Division of Services for People with Disabilities aims to provide services to people with disabilities in the least restrictive manner possible. Self-Administered Services allow people to live in the community and take control of their own lives. For more information on SAS and the other services we offer, contact the DSPD.

Address:
195 North 1950 West
Salt Lake City, Utah 84116

Phone: (801) 538-4200
Fax: (801) 538-4279
TTY: (801) 538-4192
Toll Free: 1-800-837-6811

Email: dspd@utah.gov

Internet: www.dspd.utah.gov